

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-3, 6-8, and 11-13 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Claim 4-5, 9-10, and 14-15 are canceled.

Claims 1, 2, 6, 7, 11, and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sherer et al. (U.S. Patent 6,115,376). Claims 3, 8, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherer in view of the prior art.

However, in the present invention, “the connection source is a printer and the predetermined connection destination is a service center server to provide automated maintenance for said printer over said network.” (Claims 1, 6, and 11) This limitation is supported by Figure 4 of the Specification. Hence, the present invention is a system by which network printers automatically connect themselves to a maintenance server upon power up and can then receive automatic software upgrades and maintenance. Applicants respectfully assert that Sherer does not disclose a system for providing automated maintenance for a printer over a

network as required in the present claims.

Accordingly, for at least this reason, Sherer fails to anticipate or obviate the present invention and the rejected claims should now be allowed.

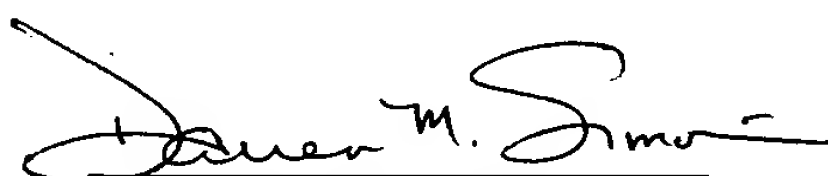
Claims 4, 9, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherer in view of Wadsworth et al. (U.S. Patent 5,606,671). Claims 5, 10, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherer in view of Wadsworth and Motoyama (U.S. Patent 5,774,678). The rejected claims have been canceled and their limitations amended into the independent claims. Accordingly, these rejections are moot.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

Darren M. Simon
Reg. No. 47,946
(212) 588-0800